

Appln No. 09/608,970
Amdt. Dated February 3, 2005
Response to Office action of December 27, 2004

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REMARKS/ARGUMENTS

Specification

The amendment to the co-pending applications paragraph on Page 1 is merely to update the application numbers to patent numbers.

The Office Action has been carefully considered. The issues raised are traversed and addressed below with reference to the relevant headings and paragraph numbers appearing under the Detailed Action of the Office Action.

Claim Rejections - 35USC §102

With reference to paragraphs 2 to 6 of the Office Action, we have now considered the Examiner's comments and arguments in detail and respectfully submit that the claims are novel and inventive as they stand.

As acknowledged in our previous response, whilst we do not per se agree with the Examiner's interpretation of Danielle and Fox we are willing to concede this point in order to progress prosecution of the application further. In view of this, in our previous response we had amended the claims to include reference to the computer system receiving identity data indicative of an identity of the user, from the sensing device.

As set out on page 6 of our previous response:

Thus, whilst we acknowledge that the use of a debit or credit card would constitute debiting a user account, the system does not operate to identify the user account based on identity data received from the sensing device which also determines the request for the document. Thus, the claim requires a common sensing device which determines both the document request and the identity of the user.

Instead, it is clear in Danielle that even in the event that the scanner 22, the document input device 20 and the gliff detector 30 operate as a sensing device to sense a request for the documents, these elements do not in any way operate to provide identity data indicative of the identity of the user which could only ever be received by a debit copy card 52 using the record royalty receipt component 46.

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In view of this, we do not believe that the prior art, either alone or in combination teaches receiving from a sensing device when placed in an operative position relative to the surface indicating data and identity data as now required by the claims.

Unfortunately the Examiner has not addressed these issues in the final Office Action other than to refer to "determining the fee from the ownership and debiting a user account" in paragraph 3. The Examiner has once again merely referred to column 9, line 39 to column 10, line 35 and column 11, line 45 to column 12, line 39.

We would once again reiterate that this does not describe a sensing device which contains or stores identity data and which provides this to a computer system. As clearly shown in figure 1 of Danielle the sensing device which senses the glyph is the scanner 22 and this is deemed to be a completely separate sensing device from any sensing device which may determine identity data.

In addition to this, we would highlight that the only element shown in the drawing which can obtain details of the debit copy card is the record royalty receipt 46. As clearly shown by the dotted line 40 this forms part of the computer system. Thus, Danielle does not describe a computer system which receives from a sensing device both indicating data and identity data.

In view of this, we respectfully submit that the claims are novel and inventive over the prior art.

As these arguments were clearly set out in our previous response we do not believe this introduces new issues for consideration and we therefore look forward to receiving an indication of allowance in due course.

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In light of the above, it is respectfully submitted that the objections and claim rejections have been successfully traversed and addressed. The amendments do not involve adding any information that was not already disclosed in the specification, and therefore no new matter is added. Accordingly, it is respectfully submitted that the pending claims, and the application as a whole with these claims, are allowable, and a favourable reconsideration is therefore earnestly solicited.

Very respectfully,

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